P 13

O.F. 72.

RS 19 43

Department of Revenue

OFFICE of the Board of Revenue (~~Collector of Salem~~)

STATION Salem (~~Mangalore~~)

B.P. M's No. 436 (S)

Dated 8-5-1943

M.1700.1942

10 MAY 1943

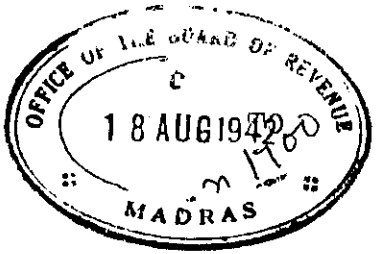
Pages in the file 28+10

(SUBJECT.)

Alienation lands and Rev. — (S. Kanara Dt)
Kadipa JK - Bantwal T. S. no. 107/10 - Parish
[illegible] of the Diocese of Mangalore — Edu. School
[illegible] and well - Resumption and enathinam —
[illegible]

R.C.C.No.6969-41-B3. South Kanara Collector's Office
Mangalore, 16th August 1942.

From



M. Karamatullah, Esq., I.C.S.,
Collector of South Kanara.

The Secretary to the Board of Revenue,
Land Revenue & Irrigation, Madras.

Sir,

Alienation - Land - Revenue - South Kanara - Udipi Taluk - Badagabettu village - S.No.107/1B - Elementary School and garden.

pscf (U) Ref: Board's Resolution No.Rt.165, dated 10.1.1942.

*****

The teacher Manager of the school has since relinquished the land. I recommend that the relinquishment may be accepted. The Secretary, Catholic Board of Education, has agreed to the alienation of the land in favour of the Parish Union of the Diocese of Mangalore. The Secretary of the Parish Union has agreed to the revised conditions contained in the list enclosed. I recommend that S.No.107/1B of Badagabettu village may be alienated in favour of the Parish Union of the Diocese of Mangalore subject to the conditions mentioned in the list enclosed. I enclose a copy of the statement of alienation of land and land revenue and an eyesketch.

for Collector.

2

Subject asat p. 10 of.
@ 1700 ——— Q.

Statement of alienation of land in which the proprietary right belongs to the State.

District - South Kanara.

---

1. Description and area:	S.No.107/1B of Badagabettu village in Udipi Taluk measuring 0.49 acre.
2. Market value:	Rs.171.8.0 (at Rs.350/- an acre).
3. Alienee and purpose of alienation:	The Parish Union of the Diocese of Mangalore for school purposes.
4. Collector's remarks:	Recommended.

South Kanara Collector's Office,
Mangalore, 15th August 1942.

For Collector.

Statement of alienation of land revenue payable to Government.

District - South Kanara.

---

1. Description and area:	S.No.107/1B of Badagabettu village of Udipi Taluk measuring 0.49 acre.
2. (a) Annual assessment or ground rent:	Rs.5.8.0 (at Rs.11.4.0 an acre)
(b) Capitalised value (25 times assessment or ground rent)	Rs.137.8.0
3. Alienee and purpose of alienation:	The Parish Union of the Diocese of Mangalore for School purposes.
4. Collector's remarks:	Recommended.

South Kanara Collector's Office,
Mangalore, 15th August 1942.

For Collector.

APPENDIX.

Particulars of land.

Taluk
Village.
S.No.
Extent.
Assessment.

School - 10 cents.
Garden & well - 40 cents.

The land shall be used for the —

purpose of a school, garden and well as per particulars shown in the margin and for no other purposes.

2. The grantee shall lay out the garden and complete the construction of the buildings within ~~two years~~ one year from the date of the grant.

3. No other kind of building shall be constructed on the land — without the previous permission of the Collector.

4. The market value of the land shall be collected if at any — time it is found that the grantee derives a substantial income from the land.

~~4.~~ 5. The school shall be open to members of all classes including the depressed classes.

6. The land shall not be leased nor shall any licence whatever for the occupation whether permanent or temporary be issued except under the provisions of Sec.160(3) of the Madras Local Boards Act or Sec. 183(3) of the Madras District Municipalities Act or the rules framed under the Act.

~~5.~~ 7. The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the — conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land, the Government may direct the —— grantee to remove them and in the event of the grantee refusing to remove the buildings when so directed the Government or any Officer empowered by them in this behalf shall have power to remove the —— buildings and realize the cost of such removal by the sale of the materials.

~~6.~~ 8. The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is —

required for a public purpose, or for conducting mining operations. In the event of such resumption, or in the event of the acquisition of land for any reasons, the compensation payable for the land and the trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition -- whichever may be less and the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less, if any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Government towards the cost of the buildings or other improvements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (3).

~~8~~.7. In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements -- that may have been effected or for works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to the Government for the grant or the value of the land at the time of relinquishment -- whichever may be less.

~~10~~.8. Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of -- alienation are infringed. In the latter case full land revenue -- shall be levied from the date of such infringement. The decision of the Collector on the question whether a net income is derived from the land or not is final.

~~11~~.9. The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the

land at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the District.

10. ~~12.~~ The alienee shall take all reasonable measures to the satisfaction of the Collector of the district for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land

11. ~~13.~~ The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with.

12. ~~14.~~ In the event of the infringement of, or failure to observe any of the conditions 9 to 11 the alienee shall pay the Government such compensation as is determined by the Collector of district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case, the alienee shall not be entitled to any compensation whatever.

South Kanara Collector's Office,
Mangalore, 15th August 1942.

For Collector.

14.8.42

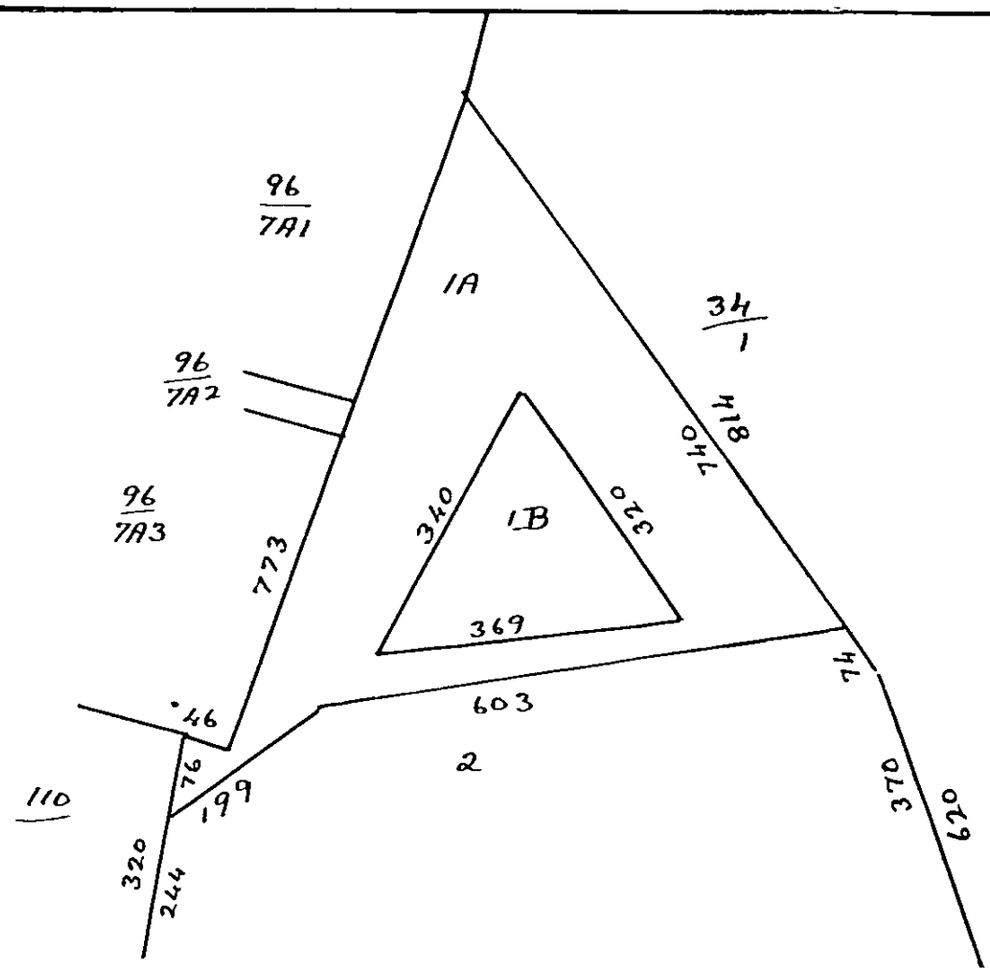
R.F. II-26

District. South Canara

Taluk Udipi

Village { No. 76
Name Badagabettu

Field No 107 Area Acres



S No	Sub Div No	Class of Holding	No and name of holder	Remarks
107	1B		Plot alienated to the Chittady Elementary School	
	1A	D	Government land	
96	7A1	D	Kaliyamardhan Krishna Devadiga	
	7A3		Admar mutt	
	7A2	D	Udipi municipality	(Road)
107	2	D	Hos 4 Raya Ballal	
34	1	P	Road	

Scale inch=One Chain

K. Vaikuntha
Shanbhag

Alienation - Land - Revenue - (South Kanara) - Udipi Taluk - Badagabettu village - S.No. 107/1B - Ely. School garden and well - Realienation in favour of the Parish union of the Diocese of Mangalore - Further particulars - Called for

From the Collector of South Kanara Roc. No. 6969-41-B3 — 9
13.8.42

Ref. No. N 1700/42-1 dt. 23.9.42

The collector is requested to report the nationality with the names of the Head Quarters in India and outside of the Parish union of the Diocese of Mangalore as to under what Act fact / it has been registered. He is also requested to report whether there are trees standing on the proposed site and if so, their value The approximate value of the foundations of the building and of the well

as also the information whether the value of the trees, foundations and of the well should be collected or waived, should also be furnished.

P3479(5) In the applications ~~for~~ the alienation of the land revenue and of land submitted by the Collector with his letter ~~Loc No. 6969/41-B3~~ Ref C No. 5111-38-B3 dt 11-11-38, the value of the land was reported as Rs 500 and the assessment on the extent was calculated at the rate of Rs 6-4-0 an acre, but the Collector has now reported the value of the land to be Rs 171-8-0 and the assessment per acre to be Rs 11-4-0. ~~The Collector~~ He is requested to explain the discrepancies. The attention of the Collector is invited to B.P. No. 828/40 dt 27.3.40 and he is requested to obtain and submit the consent of the alinee to the Special Conditions applicable to the school and garden. It is presumed that the total extent of Ac 0.49 now proposed to be alienated includes play ground for the school also and if so, the consent for the Special Conditions applicable to the playground also should be obtained and submitted.

To the Collector of South Kanara

Sd.

22/9/40

22/9

13

R.O.C.6969-41-B3. South Kanara Collector's Office,
Mangalore, 10th January 1943.

From

Karamatullah, Esq., I.C.S.,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue and Irrigation, ~~xxxxx~~ Salem.

Sir,

Alienation - Land - revenue - (South Kanara) - Udipi Taluk -- Badagabettu village - S.No.107/1B - Elementary school, garden and --- well - Re-alienation in favour of the Parish Union of the Diocese of Mangalore - Further particulars.

- Board's Refce.No. n.1700-42-1, dated 23-9-1942.

The nationality of the Parish Union of the Diocese of Mangalore is Indian and its headquarters in India are at the Bishop's House, -- Codialbail, Mangalore. It has no headquarters outside India and is reported to have been registered on 26-9-1921 under Act XXI of 1860. The assignment and alienation of land to this and other dioceses have been permitted in G.O.No.112 Ms. (Revenue), dated 15-1-1935, communicated with B.P.Mis.No.383, dated 28-1-1935.

2. Enquiry shows that there are no trees standing on the proposed site. The approximate value of the foundation of the building and of the well is reported to be Rs.200/- as it stood at the time of --- transfer of management of the school from the teacher-manager to the Parish Union, and their present value is estimated to be Rs.1000/- as they have been further improved upon.

3. The value of the improvements may be waived as they were ----- effected by the original alienee and subsequently transferred to the Parish Union.

14 N1700/42

4. The discrepancy re the rates of ground rent noted in the --- application for alienation of land revenue submitted to the Board - with this office Ref.5111-38-B3, dated 11-11-1938 and the application submitted in the present case is due to revision of ground-rent at resettlement. The rate of ground-rent as revised at Resettlement has been correctly noted in the application for alienation of land revenue submitted with this office R.O.C.6969-41-B3, dated 13-8-42 With regard to the discrepancy in the value of the land, I consider that the value of Rs.350/- an acre noted in the application for -- alienation of land submitted in the present case is fair as it is based on the value of similar lands sold in the vicinity in the same village in 1942, and that the rate of Rs.1000/- an acre in -- 1938 is excessive.

5. The extent of 40 cents proposed to be alienated in this --- case does not include any extent for a play-ground. The alienee agrees to abide by the additional conditions applicable to school and garden. His letter of consent dated 28-11-1942 is enclosed.

For Collector.

12.1.43

25 JAN 1943

F.W.S

File in forenoon page

Ref: N 1700/42-2-5 of 22-1-43

The Curator M.R.6 is requested to send B.P. Dis No 363 dated 24-1-35 for disposal of the BS' file N 1700/42.

21.1.43.

To

The Curator, M.R.6.

15

DIOCESE OF MANGALORE

BISHOP'S HOUSE, KODIYALBAIL. MANGALORE, 28 November 1942.

From

Rev. Fr M. Pinto,
Ag. Secretary, Parish Union of the Diocese of Mangalore

To

F.M. Pinto Esq.,
Assistant Tahsildar, Mangalore.

Sir,

30 NOV 1942

B3-43952

Subject: Alienation - Land Revenue - South Kanara - Udipi Taluk - Badaga bettu village -S.No 107/1 B - ~~xxxxxxx~~ Elementary School garden and well - Realienation in favour of the Parish Union of the Diocese of Mangalore.

Refce: Your R.C. No 12572 -42 dated 31.10.1942.

With reference to the above communication, I have the honour to submit that I agree to abide by the additional conditions mentioned therein.

2. The nationality of the Parish Union of the Diocese of Mangalore is Indian. Its head quarters are at the Bishop's House, Kodiyalbail, Mangalore. It was registered on 26.9.1921 under Act XXI of 1860.

Fr Pinto

Ag. Secretary,
Parish Union of the Diocese of Mangalore.

16

N. Dis Cers 12572-42 B3

Resubmitted to the Collector of South Kanara
with the letter of the Secretary of the Parish Council
of Diocese of Mangalore

Julian Arthur Schuldes
3.12.42

3
2/12/42

F·WS 17

Alienation – Land – Revenue – (S. Kanara) – Udipi Taluk – Badagabettu village – S. No. 107/1B – Elementary school, garden and well – Parish priest of the Diocese of Mangalore

From the Collr of S. Kanara, Roc. No. 6969-41-B.3 of 10-1-43 ——— 9

Reply N 17 00/42-3-5 of 27-2-43

The Collr states that the alinee has agreed to abide by the addl. conditions applicable to school and garden. He is requested to specify what these conditions are and to

submit a copy of them.

2) The Collr is also requested to report

(i) when and under what circumstances S.Nos 16-7A1 to 7A3 came to be shown as Kadim dry lands, when they were shown as merely dry at the time when the alienation of the site in question was first made in 1938; and

(ii) if they are really Kadim lands whether the Kadimiwargdars should not be consulted and if they should, their objections, if any, after formal notice to them and be noted along with the Collr's remarks.

DR&PR 1/3

To

The Collr of Kanara

26/2/63
R&PR 26/2

Issue
R&PR 27/2

Ref.B3-6969/41.

South Kanara Collector's Office,
Mangalore, 13th April 1943.

From

M. Karamatullah, Esq., I.C.S.,
Collector of South Kanara.

To

The Secretary to the Board of Revenue,
Land Revenue & Irrigation,
Salem.

Sir,

Alienation - Land Revenue - (South Kanara) - Udipi Taluk - Badagabettu village - S.No.107/1B - School, garden and well - Parish Union of the Diocese of Mangalore - further report.

Ref: Board's Ref.No.n.1700/42-3S, dated 27.2.43.

I append a copy of the additional conditions offered to the alienee.

2. S.Nos.96/7A1 to 7A3 of Badagabettu village were never kadim lands. They are Hosagame lands from the time of the settlement. I enclose an extract showing the registry of the plots prior to Re-settlement and during Re-settlement. The entry "Kad." against these S.Nos. noted in the index to the eyesketch sent with this office Ref. 6969-41-B3, dated 13.8.1942 is an error for "Hos".

[illegible]

16 ನೇ ಪರಿಚ್ಛೇದ ಸಾಲಿನ ಸಂಖ್ಯೆ 96/7A1 ಮತ್ತು 7A3 ನ್ನು ಕ್ರಮವಾಗಿ ಅಳಿಸಿ ಹಾಕಿ ಕೆಳಕಂಡಂತೆ ಸೇರಿಸಲಾಗಿದೆ.

1938 ನೇ ಮಾರ್ಚಿಯಲ್ಲಿ ಅಲ್ಲಿ ಬರೆದಿರುವಂತೆ ಓದಬೇಕು.

ಹಾಗೂ ಕೆಳಕಂಡ ಅಡಿಟಿಪ್ಪಣಿಯನ್ನು ಸೇರಿಸಲಾಗಿದೆ.

1 ನೇ APR 1943
S
BAL RD

Encl. to S. Kanara Collr.
Ref. B-3. 6969 - 41 dated
13 - 4 - 43. to Bd. of Rev.,
Salem.
(Board's Ref. n. 1700/42-35
dated 27 - 2 - 43)

16-4-43

ಅನುಬಂಧ - ಎ

ಮಾದರಿ ಪ್ರಮಾಣ ಪತ್ರ ನಮೂನೆ 16 ಪ್ರಕಾರ ಸಂಬಳದಿಂದ ತೆರಿಗೆ ಕಡಿತ ಮಾಡಿರುವ

3	4	5	6	7	8	9	10	11	12
96 7	3/1. ಮಾರ್ಚ್	ಮೊತ್ತ.	-	8-3	4	1	15 02	15- . .	32. ಆದಾಯದಲ್ಲಿ ಕಡಿತವಾದ ತೆರಿಗೆ ಮೊತ್ತ ಕೆಳಗಿನ ಪ್ರಕಾರ ಇದೆ.
									ಈ ಪ್ರಮಾಣ ಪತ್ರವು ಕಂಪನಿಯ ಕಾಯ್ದೆ 1956 ರ ಪ್ರಕಾರ ಕೊಡಲಾಗಿದೆ.

ಸೂಚನೆ

ಆದಾಯ ತೆರಿಗೆ ಕಾಯ್ದೆ 1961 ರ ಪ್ರಕಾರ ಕಡಿತ ಮಾಡಿರುವ ತೆರಿಗೆ ಮೊತ್ತ

96 7A1	ಮೊದಲ.	ಮೊತ್ತ.	8-3	4	1	6 58	6 9	32.	ಆದಾಯದಲ್ಲಿ ಕಡಿತವಾದ ತೆರಿಗೆ ಮೊತ್ತ ಕೆಳಗಿನ ಪ್ರಕಾರ ಇದೆ —
7A2	ಕೊನೆ.	ಮೊತ್ತ.	8-3	4	1	36	6	33.	ಆದಾಯದಲ್ಲಿ ಕಡಿತವಾದ ತೆರಿಗೆ ಮೊತ್ತ ಕೆಳಗಿನ ಪ್ರಕಾರ ಇದೆ.
7A3		ಮೊತ್ತ.	8 3	4	1	5 99	6	32	ಆದಾಯದಲ್ಲಿ ಕಡಿತವಾದ ತೆರಿಗೆ ಮೊತ್ತ ಕೆಳಗಿನ ಪ್ರಕಾರ ಇದೆ.

(ಪ್ರತಿಯೊಂದಕ್ಕೂ ಪ್ರತ್ಯೇಕ)

Certificate No 7A3 ಪ್ರಕಾರ ಕಂಪನಿಯ ಮುದ್ರೆ

ದಿನಾಂಕ

ಕಂಪನಿ ಕಾರ್ಯದರ್ಶಿಯ ಸಹಿ

Full Bd

95 and

Alienation- Land Revenue- ~~Buildings~~.

South Kanara Dt.) Udipi Taluk-

Badagabettu Village ~~Town~~ S.No. 107/1B - Parish Union of the Diocese of Mam. - Ele. school. garden and well - ~~Recommended.~~ ~~Sanctioned.~~ Resumption and ~~(illegible)~~ realienation - Ordered.

fr. 1 c.f — Q
fr. 13 c.f — Q
fr. 19 c.f — Q

~~Reference.~~ Resolution Mis 436(S) dated 8-5-1943

The Board ~~At the instance of the Collector~~ ~~recommends~~ sanctions the resumption of the alienation of the plot of land ~~measuring~~ comprised in S.No. 107/1B of Badagabettu village Udipi taluk measuring Ac. alienated on B.P. ~~in favour of~~ Mis. 3418 dated 1-12-1938 in favour of the Trustees ~~for use as the site of~~ Manager of the chiffrady Ele. School for use as the site of a school, garden and well and its realienation in favour of the Parish Union of the Diocese of Mangalore for the same purpose

24

3. The alienation will be free of charge for the occupancy right and free of ~~assessment~~ ground rent but ~~subject to assessment ground rent~~ which ~~will be liable to revision according to the rules in force at the time of such revision and subject to the payment of Rs.~~ being the value of the ~~trees standing on the land~~ subject ~~also~~ to the following conditions to which the alienee has agreed:-

(1) The land shall be used as the site of a school, garden and well as note below ⊛ and for no other purpose.

⊛ School - 10 cents
garden and well - 39 cents

(2) The ~~school building~~ and the garden laid out shall be constructed within a period of one year ~~(years)~~ from the date of the grant.

(3) No (other) building shall be constructed on the land without the previous permission of the Collector of the district.

( ) The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land.

(4) The school shall be open to members of all classes including the depressed classes

(5) The grantee shall maintain the building after its construction in good condition. Such repairs as the Coll. of the Dt. may consider necessary from time to time shall be executed by the grantee within such time as the Coll. may fix and to his satisfaction. In the event of default, the repairs shall be carried out by the Coll. and the cost thereof recovered from the grantee.

25

(6) The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land, the Government may direct the grantee to remove them and if the grantee refuses to remove them when so directed the Government or any officer empowered by them in this behalf shall have power to remove the buildings and realise the cost of such removal by the sale of the materials.

(7) The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for a public purpose, or for conducting mining operations. In the event of such resumption or in the event of the acquisition of the land for any reasons, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less and the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of ~~anye~~ alienation or their value at the time of resumption or acquisition, whichever may be less together with the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Government towards the cost of the buildings or other improvements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed

constructed in contravention of condition (3)

(8) In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by thegrantee but the grantee shall be entitled to the repayment of any amount that may have been been paid to the Government for the grant or the value of the land at the time of relinquishment whichever may be less.

(9) Full land revenue shall be levied if at any time any net income is derived from the land or if any ~~of~~ of the conditions of the alienation are infringed. In the latte case, the land revenue shall be levied from the date of th infringement. The decision of the Collector on the quastion whether a net income is derived from the land or not shall be final.

(10) The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land/the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the district.

(11) The alienee shall take all reasonable measures to the satisfaction of the Collector of the district for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

(12) The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

(13) In the event of the infringement of, or failure to observe any of the conditions (10) to (12) the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

3. As the extent of S.No. 107/13 has now been given by the settlement as .49 cents the extent allotted for garden as well has been modified as 39 cents

V.H
7.V.43

To the Collector of S. Kanara

,, Secretary to Government, Revenue Dept. with alienation statements (pages C.F. to be copies and sent) and sketches to be returned (pages in original.)

J.E.G.

6/5/43

A.M.
7/5

Sketch at p 9 cf — (R)

Note file.

ALIENATION - Land - Revenue - ~~Buildings~~ (S. Kanara District)
..Udipi.....Taluk - Badagabettu Village ~~Zamin~~ Ryotwari ~~Inam~~
R.S.No. 107/1B - Ely School ~~and~~ garden and well - Resumption and proposals for re-alienation in favour of the Parish Union of the Diocese of Mangalore

Board's Cir No. N. 1700/42

Topo Sketch at p. — 9 cf — (R)

From the Collector of South Kanara Roc No. 6969-41-B3 dt 13-8-42

1.	R.S.No.	Extent.	Classification.
	107—1B	Ac 0.49	Govt dery (S)

2. Purpose of alienation. Ele. School and garden.

3. Alienees:-

(a) Nationality with name of Head Qrs. in India and outside. — Parish Union of the Diocese of Mangalore. Indian. H.Q in India at the Bishop's house, Codial-bail Mangalore outside India.

para 1, p 13 cf

(b) If a Company, Association or Society, how it has been registered. — ~~(Please p 3 cf)~~ Regd. under Act XXI of 1860.

4. Objections:-

(a) whether a notice was published in the village? — No. (see overleaf)

If so, any objections

(b) from communal point of view.

(c) from traffic point of view.

(d) from other points of view.

5. Trees:-

(a) their value.

(b) whether to be collected or waived. — Nil

6. Buildings:-

(a) their value.

(b) how to be disposed of

Foundations of well building and well put up by the original alienee, value estimate at Rs. ~~200~~ 1000/-. The Collr. proposes the waiver of the value of the improvements stood at the time of the transfer of the management of the school from the teacher-manager to the Parish Union. Para 2 ; fr 13 c/w.

7. (a) Value of the land. Rs 171-8-0

(b) Capitalised value of land revenue. Rs 137-8-0;

8. Conditions of alienation whether in order. NO. consent to special conditions applicable to the case are being called for.
Yes

9. Authority competent to sanction. [This will be decided after the reply of the Collector to item 3 is received]

10. Collector's recommendations. Land free of market value and land revenue may be alienated.

To As(LR)

The site was originally alienated in favour of the teacher manager in B.P. No 3418 dt 1-12-1938 for the same purposes. As he could not carry out the purposes of alienation, he transferred the management to the Parish Union of the Diocese of Mangalore In B.P. Ront 165 dt 10-1-1962 the Board instructed the Collector that the original alienee should relinquish the site and that thereafter the site should be alienated in favour of the Parish Union hereafter. The Collector now reports that the original alienee has since relinquished the land. In his letter Roc. 6969/H1-B3, dt 29-11-1971 the Collector had reported that the teacher manager had put up a foundation for the building and sunk a well. It is not known what compensation was paid by the Diocese for these improvements to the alienee. The Collector has also not reported whether any compensation should be paid by the Govt in case of resumption. This information seems also unnecessary, as the original alienee has not fulfilled the conditions of alienation. The Board can therefore straight away sanction the resumption of the land together with the improvements effected thereon for the non-fulfilment of the conditions of alienation under condition 10 of the Conditions of alienation

The original alienee has relinquished the land and the Collector recommends resumption. A.S. Can sanction resumption in the case. This may be done.

p1 nf ✓ Item - 3 The Coll. may be asked to report on the required information

p1 nf Item 4. Objections Even at the time of the original alienation in 1938 the Collector did not report about the objections. He may now be asked to report on this after publishing a notice in the village inviting objections to the proposed alienations.

pp1-2 nf Items 5 and 6. The Collector may be asked to report whether there are any trees now standing on the land and if so, their value the approximate value of the foundations of the land dug and of the well may also be called for with information as to whether the value should be collected from the proposed alienee or waived.

p2 nf. Item 7 In 1938 the value of the site (Ac.0.50) was reported by the p39 (S) Collector as Rs 500 and the assessment as Rs 6-4-0 an acre while it is now reported ~~as~~ that the Market value of Ac 0.49 is Rs 171 p59 (S) and the assessment per acre is ~~Rs 5-8-0~~ Rs 11-4-0. The Collector may be p3 cn ✓ asked to ~~account for~~ explain the discrepancy.

p2 nf. Item 8. The Collector's attention may be invited to B.P. No. 828 A/40, and he may be requested to obtain the consent of the proposed alienee to the special conditions applicable to the school and the garden.

The extent applied for seems to be too much for the requirements. The Collective Board has sanctioned the alienation of Ac 0.50 for the same purpose in 1938. Presumably the garden includes the playground also. This presumption may be expressed to the Collector and he may be asked to obtain the consent of the alienee to the special condition applicable to playgrounds if the presumption is correct.

For orders

Dy 5/9 Ld 7.13/9/62

Since the site was relinquished and for the purpose of being regularised item 4 above is not necessary. On all the other points address the Collector Relinquishment will be accepted later on.

15.9.62

4

To AS(LR).

AS(LR)

Draft submitted 22/9/42

79
60
22 pages

AS(LR)

From the collr. of S.K. P.o.c. 6999-44-B3 ff/1.13-14 +

d. 10-1-1943 (LR) Please see the notes above and the orders thereon ff/1.3 ?.
2/- The Govt's letter is a reply to Bdi refce. no. 1700/42-1 ff/1-11-12 +
date 23-9-1942.

3/- The nationality of the alinee is Indian. Its H.Q. in India are at the Bishop's house, Cotiallait, Man. and it is registred under Act XXI of 1860. Alienation is permitted in this case under Govt.O. 112. Ms. dated 15.1.35. ff/1 (D)
There are no trees on the site proposed to be alienated. The collr. recommends the waiver of the value of the improvements on the plot on the ground that ~~the~~ they stood at the time of transfer of management of the school from the trustees. ~~managers to the Parish Union and that they were~~ and subsequently transferred to the Parish Union effected by the trustee-manager. The discrepancy ~~with regard to the land~~ in the rates of site value and ground rent proposed by the collr. has been explained by him. The collr. has sent the consent of the alinee to abide by the additional conditions of the grant. But the details of conditions for which the alinee has given his consent are not forthcoming. The collr. may be requested to send them

4/- The plot now proposed to be alienated was alienated to the trustee-manager of the school in B.P. Mis. 3418 dated 1.12.38. According to the sketch on p. 17 c/f (S) in that file, S.Nos. 96/7A1, 7A2 and 7A3

para 1 ff/1.3 +

para 2 ff/13 c/f.

ff/1 +

ff/1 +

ff/14.

ff/15 +

(R) are dry lands while in the topo sketch on p. 9 c.f. these lands have been shown as kadim lands. Before the plot was alienated in B.P. No. 3418 dated 1.12.38. it was dry land. and therefore the holders of S.Nos. 96/7A1 to 7A3 should have been formally consulted, though their objections, if any, cannot stand in this case as the land has been used for a public purpose. It is for consideration whether a reference is necessary to the Coll. on this point.

~~Whether reference is necessary to the Coll. the proposals of the Collr. may be approved by the Collector Board.~~

13/2/43.

S.No 107-1 (1A of 113) is a kumaki land i.e. a Govt waste land within 100 yards of assessed land included in a holding formed prior to fasli 1296 (Kadim land). The kadim wargdars of S.Nos 96-7A1, 7A2 and 7A3 should have been consulted in as much as they are the kumakidars of S.No 107-1.

A reference to the Coll may therefore issue on points (A) and also on the following:-

(i) When and under what circumstances S.Nos 96-7A1 to 7A3 came to be shown as kadim lands when they were shown as dry at the time when the alienation of the site in question was first made in 1938; and

(ii) if they are really kadim lands whether the kadimwargdars

should not be consulted and if they should, their objections if any after formal notice to them should be sent along with the Colr's remarks.

For orders.

Yes Sir

25.2.93

BPR
23/2

Draft submitted.

26/2/93

BPR
26/2

Note file.

ALIENATION - Land - Revenue - ~~Buildings~~ (S. Kanara District)
Udipi Taluk Badagabettu Village Ryotwari ~~Zamin~~ ~~Inam~~ -
R.S.No. 107/1B — Parish Union of the Diocese of Mangalore - Elementary School, garden and well - Resumption and re-alienation.
From the Coll. of S. Kanara, Roc. 6969/41 B-3 of 13-4-42, 10-1-43 & 13-4-43.
Board's Cur No. M 1700/42

Sketch at p. 9cf (R)

S.No.	Extent.	Classification.
107/1B	Ac. 0-49	Gart. dry

2. Purpose of alienation. School, garden and well.

3. Alienees:- Parish Union of the Diocese of Mangalore

(a) Nationality with name of Head Qrs. in India and outside. Indian nationality p13cf Headqrs in India — Mangalore No headqrs. outside India

(b) If a Company, Association or Society, how it has been registered. Regd. under Act XXI of 1860. p13cf

4. Objections:-

(a) whether a notice was published in the village? Not necessary.

If so, any objections

(b) from communal point of view.

(c) from traffic point of view.

(d) from other points of view.

The land already alienated is ~~Govt~~ only to be resumed and re-alienated.

5. Trees:-

(a) their value.

(b) whether to be collected or waived.

No trees

6. Buildings:- Foundations of a school building and well

(a) their value. Rs 1000/- (present value)

(b) how to be disposed of Put up by the Freehold alienee. Already transferred to the Parish Union. Collection of value is to be waived

7. (a) Value of the land. Rs 171-8-0

(b) Capitalised value of land revenue. Rs 137-8-0

8. Conditions of alienation whether in order. Yes.

9. Authority competent to sanction. Collective Board [Private bodies - value below Rs 1000/-]

(C.S.624-2, C.i at pg. 1 ...c)

10. Collector's recommendations. Land and land revenue may be alienated.

The site was originally alienated in Rp. No. 3418 dated 1-12-38 in favour of the ~~Chilaw~~ teacher-manager of the Chilaw Elementary School for a school, garden and well. As the grantee could not carry out the purposes of alienation, he transferred the management of the school to the Catholic Board of Education. The teacher-manager has since relinquished the land. The Secretary, Catholic Board of Education has agreed to the alienation of the site in favour of the Parish Union of the Diocese of Mannalare. The Colle

p' + U. proposes, with regard to BP. Pt 165 of 10-1-42, the resumption of the site and its re-alienation to the Parish Union.

Condition 1 of the Conditions of alienation lays down that 10 cents shall be used for school and 40 cents for garden and well — total 50 cents. This is with regard to the original area alienated, viz 50 cents. But as the area of the site is now given as 49 cents (due evidently to further adjustments), the area allotted for garden and well in condition 1 may be modified as 39 cents (as against 40 cents)

p 1 + 2

p 3 4

A

B

The proposals are in order. The Collective Board may sanction the resumption of the site and its re-alienation in favour of the Parish Union.

SECT
27 APR 1943

B may be approved. The Collector will be informed

TSE 27/4/43.
EPR 28/4

From p. M N.F. above A

(M-1) 27/4/43

S. 2 Tables

Ellis
30/4 (E)

ASSISTANT SECRETARY.
4 - MAY 1943

M-4

M-3

3/5/43

To A.S (L.R)

AS(LR)

Draft submitted

TRM 6/5/43.

7/5/43

EPR 7/5

B.P.M.(i) 436(G)
8.5.43

	I-A	D.D.S. and L.R.	Assistant Secretary. L.R.	Irrn.	C.T.	Excise	J.S.	A.S.(E.R.) Secy	M 1	M 2	M 3	M 4
Open file seen by	–	–	✓	–	–	–	–	–	✓	–	✓	✓
Final draft seen by	–	–	✓	–	–	–	–	–	–	–	–	–
Now circulated to	–	–	–	–	–	–	–	–	–	–	–	–

Initials. J.M. 6.5.43 B.M. 7/5

Secretary

Jt. Secretary

A.S.(L.R.)

A.S. (~~Irrn.~~)

A.S. (Excise)

A.S. (Comml. Taxes).

D.D.S. & L.R.

L.R.

Passed for record

Note: Entries not required to be scored out.